

Town of East Hampton  
Zoning Board of Appeals  
300 Pantigo Road, East Hampton, NY 11937



## **APPROVED MINUTES OF MEETING**

Date: March 22<sup>nd</sup> 2016  
Time Started: 6:30 p.m.

### **Members Present:**

John P. Whelan, Chairman  
Cate Rogers, Vice Chair  
David Lys, Member  
Lee White, Member  
Roy Dalene, Member

### **Also Present:**

Denise Savarese, Legislative Secretary  
Elizabeth Baldwin, Counsel to the Board

### **Public Hearing:**

6:30 PM Applicant: Abraham Feldman Trust - 40 Bull Path, East Hampton – SCTM# 300-112-1-17.5 - Project Description is to allow a 960 sq. ft. two story garage with former artist's studio to remain larger than allowed and for an 80 sq. ft. shed to remain within side yard lot line setbacks

Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted that the Affidavit of Service & Posting was in order. Member Dalene conducted a field inspection and reported his findings to the Board.

Robert Connelly, Attorney, appeared on behalf of the applicant - a Memorandum of Law is contained into the Board's file.

David Buda, interested party, was concerned about the size of the accessory building and the setting of a precedent. The Town Code went to great lengths to limit the size of these structures.

Tyler Borsack, appearing on behalf of the Planning Department, gave the department's analysis and made himself available for any questions the Board had.

Member Dalene made a motion to close the Public Hearing. Vice Chair Rogers seconded. All members were in favor.

### **Public Hearing:**

6:50 PM Applicant: Seven Dreams LLC - West Lake Drive, The Anchorage at Lake Montauk, Map No. 10948 Lot 3, Montauk – SCTM# 300-19-5-22.16 - Project description is to permit a third story within the existing structure where only two and a half stories are permitted.

Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted that the Affidavit of Service & Posting was in order. Member White conducted a field inspection and reported his findings to the Board.

Joel Halsey, Agent, appeared on behalf of the applicant, spoke about the property conditions and noted that the applicant is willing to sterilize the middle Lot (lot #2) by placing a large lot easement on it. Lot #2 is also the location of the septic system. Mr. Halsey addressed the unique circumstances that exist for this application – also noted that the intent of the third story is to have a workout studio and home office – with a shower.

David Buda, concerned citizen, questioned the merging of lots 2 & 3 and asked that the Board follow up on this issue.

Larry Penny, concerned citizen, gave some background history during his time as a Town employee. Mr. Penny felt the large lot easement on Lot #2 was a good trade off since the condition of Lake Montauk is not environmentally sound.

Lisa D'Andrea, speaking on behalf of the Planning Department gave the Planning Departments analysis including project conditions and recommendations for the Board's consideration.

Member White made a motion to close the Public Hearing but leave the record open until May 3<sup>rd</sup> for additional documentation. Member Lys seconded. All members were in favor.

#### **Public Hearing:**

7:10 PM Applicant:: John Ryan – Surfside Avenue & contiguous to the Atlantic Ocean, Montauk - SCTM# 300-51-04-19 – Project description is the 10 year maintenance of an existing rock revetment

Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted that the Affidavit of Service & Posting was in order. Vice Chair Rogers conducted a field inspection and reported her findings to the Board. Member White recused himself.

John Ryan, Applicant, addressed the environmental damage that has occurred on his land, and demonstrated this through aeriels produced by Google. Mr. Ryan submitted a Memorandum of Facts into the Board's file.

Thomas Muse, concerned citizen, noted this project should be looked at very carefully. Encouraged the Board to require a detailed survey, need more information regarding maintenance plan before proceeding.

Brian Frank, Chief Environmental Analyst spoke on behalf of the Planning Department gave the Planning Department analysis, including project history, conditions and made recommendations for the Board's consideration.

Greg Donohue, citizen, who has been working on bluff restoration for 30 years noted that the applicant's request for maintenance and a protocol is essential since there is a need for these structures. Mr. Donohue was in favor of Mr. Ryan's maintenance plan.

Vice Chair Rogers made a motion to leave the Public Hearing and record open indefinitely for additional documentation. Member Dalene seconded. All members were in favor. Member White recused himself

#### **Work Session:**

##### **Extensions of Time:**

Anthony Ingrao – 402 Old Montauk Highway, Montauk – SCTM# 300-22-1-5  
Member White made a motion to approve the Extension of Time. Member Lys seconded. All members were in favor.

Nancy Hector – 153 Sayres Path, Wainscott – SCTM# 300-197-6-39.1  
Chairman Whelan made a motion to approve the Extension of Time. Member Lys seconded. All members were in favor.

Philip Tripi – 7 Brisbane Road, Montauk – SCTM# 300-30-3-3  
Member White made a motion to approve the Extension of Time. Member Lys seconded. All members were in favor

Gary Aprea – 170 Old Montauk Highway, Montauk – SCTM# 300-22-1-12.4

Member White made a motion to approve the Extension of Time. Member Lys seconded. All members were in favor

**Possible Administrative Application:**

Louis G. Cornacchia – 134 West Lake Drive, Montauk – SCTM# 300-19-5-15 – Replacement of Deck & Stairs. Member White made a motion to approve application being processed administratively. Member Lys seconded. All members were in favor.

**Board Determinations:**

Colleen Croft – 26 Soundview Drive, Montauk – SCTM# 300-5-1-11 – Brian Frank memo regarding issuance of a Certificate of Occupancy. Application is not ready for the issuance of a Certificate of Occupancy. Letter to be forwarded to the Building Department.

**Minutes:**

Member Lys made a motion to approve the Minutes of May 15<sup>th</sup> 2016. Member White seconded. All members were in favor.

**Resolutions Signed:**

Anita Gratwick & Thomas Hayes – SCTM#300-201-1-5 – Chairman Whelan made a motion to approve the Determination as written. Vice Chair Rogers seconded. All members were in favor.

R & J East Lake Properties LLC – SCTM# 300-6-2-16 & 25 – Member White made a motion to approve the Resolution Amending Determination as written. Member Lys seconded. All members were in favor.

**Adjourn:**

Vice Chair Rogers made a motion to adjourn. Member Lys seconded. All members were in favor.

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John P. Whelan, Chairman  
Zoning Board of Appeals